

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN J. BEUNING,

Plaintiff,

v.

ALBION MOTORS, INC., d/b/a
ALBION MOTORS BIG LOT,

Defendant.

CIVIL ACTION NO. 05 CV 70065 DT

DISTRICT JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE VIRGINIA MORGAN

**ORDER REGARDING PLAINTIFF'S
MOTION TO COMPEL DISCOVERY**

This matter is before the court on Plaintiff's Motion to Compel Discovery filed July 26, 2005 (D/E 8). Oral argument was held before the magistrate judge on September 7, 2005. Although plaintiff faxed the court a letter indicating the motion was withdrawn, defendant's counsel objects to the representation that it was resolved. For the reasons stated on the record,

IT IS ORDERED that:

- 1) Discovery is closed. The pending dispositive motion will be decided by the district judge.
- 2) Plaintiff's counsel refuses to accept certified mail. Defendant's counsel refuses to use fax. Defendant's counsel's e-mail is jd@qcnet.net.
- 3) Henceforth, all communication in this case will be by ordinary mail and e-mail in addition to electronic filing where permitted under the court rules.

4) No costs, no sanctions to either side.

SO ORDERED.

s/Virginia M. Morgan
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

Dated: September 9, 2005

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Proof of Service

The undersigned certifies that a copy of the foregoing order was served on the attorneys of record by electronic means or U.S. Mail on September 9, 2005.

s/Jennifer Hernandez
Case Manager to
Magistrate Judge Morgan